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16 HILLTOP FINANCIAL MORTGAGE, INC.,
17 ABRAHAM KABA, and THANH (TOM) NGUYEN

18 UNITED STATES DISTRICT COURT
19 NORTHERN DISTRICT OF CALIFORNIA

20 SANTOS SALAS, an individual, and ANITA
21 GUTIERREZ, an individual,

22 Plaintiffs,

23 vs.

24 HILLTOP FINANCIAL MORTGAGE, INC.,
25 a California Corporation, ENCORE CREDIT
26 CORPORATION, a California corporation,
27 ABRAHAM KABA, an individual, and
28 THANH (TOM) NGUYEN, an individual,

Defendants.

Case No. C 04 1682 MHP (EMC)

~~PROPOSED~~ ORDER

COMPLAINT FILED 04/29/2004

23 Defendant and Cross-Claimant ENCORE CREDIT CORPORATION (“Encore”), having
24 settled with Plaintiffs and Plaintiffs having dismissed their complaint against Encore with
25 prejudice, still having a cross-claim on file against defendants HILLTOP FINANCIAL
26 MORTGAGE, INC. and ABRAHAM KABA (“Hilltop Defendants”), is deemed a part of this
27 action. Within ten days of the date of this order, Encore shall provide written notice to the court
28 and all parties by either (1) filing a dismissal of their cross-claims against the Hilltop

1 Defendants, with prejudice, or (2) filing and serving all required documents, participating fully
2 in the proceedings in this action (including but not limited to Case Management Conference,
3 Settlement Conference, and all other pretrial proceedings), and complying with all orders of the
4 court. If Encore elects not to file a dismissal of its cross-claims and continues to participate in
5 the proceedings herein, the Hilltop Defendants shall file an answer to the cross-claim within ten
6 days of Encore's filing and service of their notice of their continued participation in this action.

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8 Dated: April 18, 2006

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11 **APPROVED AS TO FORM:**

12 Dated:

DLA PIPER RUDNICK GRAY CARRUS LLP

13
14
15 By: _____
AARON WAINSCOT
Attorneys for Plaintiffs
SANTOS SALAS and ANITA GUTIERREZ

